

Esther Medina
Name

1521 Sagebrush Trl
Address
SE 87123

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

MITCHELL R. ELFERS
CLERK
FEB 09 2024

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

Esther Medina, Plaintiff
(Full Name)

CASE NO. CV 24-140
(To be supplied by the Clerk)

v.

The State of New Mexico, Defendant(s)
Child, Youth, & Family Department
In matters of
Isaiah Medina, Samuel Medina

CIVIL RIGHTS COMPLAINT
PURSUANT TO 42 U.S.C. §1983

A. JURISDICTION

- 1) Esther Raquel Medina, is a citizen of Albuquerque, New Mexico
(Plaintiff) (State)
who presently resides at 1521 Sagebrush Trl SE, Albuquerque 87123
(Mailing address or place of confinement)

- 2) Defendant Peggy Romero is a citizen of
(Name of first defendant)
Alamogordo, N.M. 87020, and is employed as
(City, State)
worker of the state of N.M.. At the time the claim(s)
(Position and title, if any)
alleged in this complaint arose, was this defendant acting under color of state law?
Yes ☐ No ☒ If your answer is "Yes", briefly explain:

- 3) Defendant Joselyn Lester is a citizen of
(Name of second defendant)
Albuquerque NM, and is employed as
(City, State)
state of NM District attorney At the time the claim(s)
(Position and title, if any)

alleged in this complaint arose, was this defendant acting under color of state.

Yes ☒ No ☐ If your answer is "Yes", briefly explain:

state dismissal / then ^{double jeopardy} triple jeopardy

(Use the back of this page to furnish the above information for additional defendants.)

- 4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3), 42U.S.C. §1983. (If you wish to assert Jurisdiction under different or additional statutes, you may list them below.)

I'm entitled to reunification with my children listed. according to codes, statutes, rules, the state is suppose to reunite children with biological mother/father.

B. NATURE OF THE CASE

- 1) Briefly state the background of your case.

This case has been dismissed. they claim i forfeit my children, i've reported abuse that went un managed or reported right, I want to start having visits with my sons before they adopt them off i don't understand how this got this far when its been dismissed. I'm working and got stable living.

C. CAUSE OF ACTION

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary, you may attach up to two additional pages (8 1/2" x 11") to explain any allegation or to list additional supporting facts.

A)(1) Count I:

incarceration is not a
A-1-U-14 child custod basis
are freedom of speech has been violated

- (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

Tiffany chavez
child order juvenile's family dept
sherri trescott
guardian ad litem
Joselyn Lester
state of NM

cof: Ifernando
cyfa.

peggy romero
cyfa.

Jay r mueller
lomas alb nm , *Estali juarez*
lomas alb nm ,

B)(1) Count II:

- (2) Supporting Facts:

C)(1) Count III:

(2) Supporting Facts:

D) PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment?

Yes ☐ No ☒ If your answer is "YES", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

a) Parties to previous lawsuit.

Plaintiffs:

N/A

Defendants:

N/A

b) Name of court and docket number:

N/A

c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

N/A

d) Issues raised:

N/A

e) Approximate date of filing lawsuit: 5 years ago

f) Approximate date of disposition: N/A

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C. Yes ☐ No ☒ If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No," briefly explain why administrative relief was not sought.

I've been compliant & a party
to my children's case yet
reunification has not taken place
which I'm asking for.

E. REQUEST FOR RELIEF

- 1) I believe that I am entitled to the following relief:

Trauma released from following
visitation orders.

Signature of Attorney (if any)

Rodolfo Medina
Signature of Petitioner

Attorney's full address and telephone
number.

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. Sec. 1746. 18 U.S.C. Sec. 1621.

Executed at _____ on _____ 20____.
(Location) (Date)

(Signature)